THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.16659 of 2007

Dated:06.08.2007

Between:

Sabavath Balya, S/o.Sabavath Gundiya.

...Petitioner

and

The Revenue Divisional Officer, Mahaboobnagar, Mahaboobnagar District, and others.

...Respondents.

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ORDER:

The petitioner along with his family members allegedly hold an extent of Acs.19.24 guntas in Survey No.271 and Acs.16.09 guntas in Survey No.272 situated at Burugula Village of Farooq Nagar Mandal in Mahabubnagar District. When third parties tried to alienate the property, the petitioner along with his brothers filed O.S.No.44 of 2006 on the file of the Court of the Senior Civil Judge, Mahabubnagar, and the same is still pending. In the meanwhile, it appears, the third respondent purchased the land in Survey Nos.271 and 272 from one Kistya, and submitted an application to the Tahasildar for mutation and issue of pattadar pass books and title deeds. After coming to know about this, the petitioner along with others submitted objection on 23.07.2007 and also sought time for filing documents. Alleging that the second respondent is bent upon issuing necessary mutation in favour of the third respondent without considering the objections of the petitioner, the present Writ Petition is filed.

After hearing the learned Counsel for the petitioner, and the learned Assistant Government Pleader for Revenue (General-T), there cannot be any doubt that whenever changes in the entries in the record of rights are to be effected, the Tahasildar has to follow the procedure contemplated under Section 5(3) of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971, read with Rules 18 to 20 of the Andhra Pradesh Rights in Land and Pattadar Pass Books Rules, 1989. Liberty is given to the petitioner to approach the Tahasildar and press for their objections, which shall be considered by the Tahasildar.

The Writ Petition is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

06.08.2007
vs